



Rhode Island
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

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Public Hearing Summary Document

**May 4, 2006 at 6 PM
URI Narragansett Bay Campus
Corless Auditorium**

1. Proposed changes to the recreational summer flounder management plan;
2. Proposed changes to the recreational scup management plan;
3. Proposed changes to the recreational tautog management plan; and
4. Proposed changes to the winter flounder management plan

The public has been afforded the opportunity to comment on the proposals contained in this document at the public hearing scheduled for Thursday, May 4, 2006 (6 PM) at the URI Narragansett Bay Campus, Corless Auditorium or by submitting written comments to the Division of Fish and Wildlife, 3 Fort Wetherill Road, Jamestown, RI 02835 no later than 12:00 p.m. on May 4, 2006. Underlined and bold font indicates new language and crossed out font denotes existing language proposed for elimination. The numbers preceding the regulatory language are the sections of RI Marine Fisheries Statutes and Regulations in which the changes are to occur.

1) Proposed changes to the recreational summer flounder management plan:

Status Quo

7.7.4 Summer flounder Recreational Regulations

7.7.4-1 Size and Possession – No person fishing recreationally shall possess a summer flounder less than seventeen and one-half inches (17.5”) total length, and no person fishing recreationally shall possess, per calendar day, more than seven (7) summer flounder whether caught within the jurisdiction of this state or otherwise. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on a vessel by the number of recreational fishermen onboard said vessel.

7.7.4-2 Season – The recreational season for summer flounder in Rhode Island waters is open from April 1 through December 31. The season is closed from January 1 through March 31. Possession of summer flounder taken from any waters of the state for recreational purposes during the closed season is prohibited.

Proposal 1

7.7.4 Summer flounder Recreational Regulations

7.7.4-1 Size and Possession – No person fishing recreationally shall possess a summer flounder less than seventeen and one-half inches (17.5") total length, and no person fishing recreationally shall possess, per calendar day, more than ~~seven (7)~~ **eight (8)** summer flounder whether caught within the jurisdiction of this state or otherwise. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on a vessel by the number of recreational fishermen onboard said vessel.

7.7.4-2 Season – The recreational season for summer flounder in Rhode Island waters is open from April 1 through December 31. The season is closed from January 1 through March 31. Possession of summer flounder taken from any waters of the state for recreational purposes during the closed season is prohibited.

Proposal 2

7.7.4 Summer flounder Recreational Regulations

7.7.4-1 Size and Possession – No person fishing recreationally shall possess a summer flounder less than ~~seventeen inches (17")~~ **seventeen and one-half inches (17.5")** total length, and no person fishing recreationally shall possess, per calendar day, more than ~~five (5)~~ **seven (7)** summer flounder whether caught within the jurisdiction of this state or otherwise. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on a vessel by the number of recreational fishermen onboard said vessel.

7.7.4-2 Season – The recreational season for summer flounder in Rhode Island waters is open from April 1 through December 31. The season is closed from January 1 through March 31. Possession of summer flounder taken from any waters of the state for recreational purposes during the closed season is prohibited.

2) Proposed changes to the recreational scup management plan:

Status Quo

7.11.4 Scup - Recreational

7.11.4-1 - No person fishing recreationally shall possess scup less than ten and one half inches (10.5") total length, and no person fishing recreationally shall possess, per calendar day, more than twenty-five (25) scup, whether caught within the jurisdiction of this State or otherwise except as provided in section 7.11.4-3. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

7.11.4-2 – The recreational season for scup in Rhode Island waters will be open from July 1 through October 31 annually.

7.11.4-3 – While fishing on a party or charter boat, no person shall possess scup less than ten and one half inches (10.5") total length, and no person fishing while on a party or charter boat shall possess, per calendar day, whether caught within the jurisdiction of this State or otherwise, more than twenty five (25) scup from July 1 through August 31, and more than sixty (60) scup from September 1 through October 31. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

Proposal 1

7.11.4 Scup - Recreational

7.11.4-1 - No person fishing recreationally shall possess scup less than ten and one half inches (10.5") total length, and no person fishing recreationally shall possess, per calendar day, more than twenty-five (25) scup, whether caught within the jurisdiction of this State or otherwise except as provided in section 7.11.4-3. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

7.11.4-2 – The recreational season for scup in Rhode Island waters will be open from ~~July 1~~ **June 1** through October 31 annually.

7.11.4-3 – While fishing on a party or charter boat, no person shall possess scup less than ten and one half inches (10.5") total length, and no person fishing while on a party or charter boat shall possess, per calendar day, whether caught within the jurisdiction of this State or otherwise, more than twenty five (25) scup from ~~July 1~~ **June 1** through August 31, and more than sixty (60) scup from September 1 through October 31. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

Proposal 2

7.11.4 Scup - Recreational

7.11.4-1 - No person fishing recreationally shall possess scup less than ten and one half inches (10.5") total length, and no person fishing recreationally shall possess, per calendar day, more than twenty-five (25) scup, whether caught within the jurisdiction of this State or otherwise except as provided in section 7.11.4-3. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

7.11.4-2 – The recreational season for scup in Rhode Island waters will be open from ~~July 1~~ **June 1** through October 31 annually **with the exception of party and charter boats.**

7.11.4-3 – While fishing on a party or charter boat, no person shall possess scup less than ten and one half inches (10.5") total length, and no person fishing while on a party or charter boat shall possess, per calendar day, whether caught within the jurisdiction of this State or otherwise, more than twenty five (25) scup from July 1 through August 31, ~~and~~ more than sixty (60) scup from September 1 through October 31, and more than twenty five (25) scup from November 1 through November 30. Compliance with the possession limit aboard vessels will be determined by dividing the number of fish on board a vessel by the number of fishermen on board said vessel.

3) Proposed changes to the recreational tautog management plan:

Status Quo

7.9 Tautog (Blackfish) -- No person shall take, possess, sell, possess for sale, or offer for sale any tautog measuring less than sixteen (16) inches total length whether caught within the jurisdiction of this State or otherwise.

7.9.1 Recreational -- Except as provided in Part II, no person may possess more than three (3) tautog from May 1 through October 14, annually, and no more than ten (10) tautog from October 15 through December 31, annually. Compliance aboard vessels will be determined by dividing the number of fish onboard a vessel by the number of recreational fishermen onboard said vessel.

Proposal 1

7.9 Tautog (Blackfish) -- No person shall take, possess, sell, possess for sale, or offer for sale any tautog measuring less than sixteen (16) inches total length whether caught within the jurisdiction of this State or otherwise.

7.9.1 Recreational -- Except as provided in Part II, no person may possess more than three (3) tautog from May 1 through October 14, annually, and no more than ~~ten (10)~~ three (3) tautog from October 15 through December 31, annually. Compliance aboard vessels will be determined by dividing the number of fish onboard a vessel by the number of recreational fishermen onboard said vessel.

Proposal 2

7.9 Tautog (Blackfish) -- No person shall take, possess, sell, possess for sale, or offer for sale any tautog measuring less than sixteen (16) inches total length whether caught within the jurisdiction of this State or otherwise.

7.9.1 Recreational -- Except as provided in Part II, no person may possess more than three (3) tautog from May 1 through October 14, annually, and no more than ~~ten (10)~~ five (5) tautog from October 15 through December 31, annually. Compliance aboard vessels will be determined by dividing the number of fish onboard a vessel by the number of recreational fishermen onboard said vessel.

4) Proposed changes to the winter flounder management plan:

Proposal 1

11.19 Coastal Marine Life Management Area -- For the purpose of managing winter flounder a Coastal Marine Life Management Area (CMLMA) is established which includes all state waters north of the Colregs line of demarcation a line from Sakonnet Point Light to Pt. Judith Light, north of the seaward entrance to all coastal salt ponds, including the area north of the seaward entrance to all coastal salt ponds, including the area north of the seaward entrances to the Harbor of Refuge, and the waters of Little Narragansett Bay north of a line from Napatree Point to the western end of Sandy Point, including the waters of the Pawcatuck River.

~~No person shall possess winter flounder while fishing in the Coastal Marine Life Management Area except as provided for in section 11.19.4 north of a line from South Ferry Road in Narragansett (41° 29' 56" N) (71° 25' 22" W) to the northern tip of Fort Getty Dock in Jamestown (41° 29' 68" N) (71° 23' 78" W), and from the northern end of the bulkhead at Fort Wetherill in Jamestown (41° 28' 73" N) (71° 21' 41" W) to the northern tip of Fort Adams in Newport (41° 28' 88" N) (71° 20' 21" W), and in the Sakonnet River from Sandy Point in Portsmouth (41° 33' 05" N) (71° 14' 04" W) to High Hill Point in Tiverton (41° 32' 91" N) (71° 12' 95" W).~~

Any person taking and/or possessing winter flounder in the Coastal Marine Life Management Area except as provided in 7.8-1 and 7.8-2 shall not be subject to fine and penalty if said fish are immediately returned to the water from which they came. It is illegal for an otter trawl vessel to initiate trawling within the Coastal Marine Life Management Area and haul back outside the CMLMA and possess winter flounder except as specified in Part 7.8.1.

~~11.19.2 - An annual commercial quota for all gear types will be established for the CMLMA by the Rhode Island Marine Fisheries Council. Such quota will be divided into two seasons. Repealed~~

~~11.19.3 - For all legal gear types used in Narragansett Bay area and the Coastal Pond area of the CMLMA, the first season will commence March 1 and shall continue until one-half of the annual quota for that area is landed. The second season will be from October 1 through November 15 unless the entire annual quota has been reached prior to November 15. Overages will be deducted from the next year's quota, and any unused portion of the quota will be carried into the next calendar year. Repealed~~

~~11.19.4 - A commercial vessel, permitted as specified in 11.19.5, while fishing in the southern section of the CMLMA may possess 300 pounds of winter flounder. The southern section is defined as the waters north of the line extending from Sakonnet Point Light to Point Judith Light and south of the lines established in section 11.19 above of this document. Within the remainder of the CMLMA described in 11.19 (coastal ponds, etc.) north of the seaward entrance to all coastal salt ponds, including the area north of the seaward entrances to the~~

~~Harbor of Refuge, and the waters of Little Narragansett Bay north of a line from Napatree Point to the western end of Sandy Point, including the waters of the Pawcatuck River there will be a 100 pound possession limit for all commercial fishermen. The total aggregate possession limit while fishing within the entire Coastal Marine Life Management Area is 300 pounds.~~

~~**11.19.5 - Special winter flounder permit required.** -- Fishing for winter flounder in the entire CMLMA will be limited to those holding a winter flounder permit from Fish and Wildlife. Fishermen with a valid finfish license are eligible to apply to Fish and Wildlife for a permit and are required to report winter flounder landings weekly, by phone, to Fish and Wildlife and submit a monthly log (section 11.10, RIMFC regulations). Failure to report weekly landings will result in the immediate forfeiture of the permit. Vessels permitted to harvest winter flounder in the CMLMA are required to take a bio-observer (sea sampler) onboard upon request by the Division of Fish and Wildlife. (Penalty RIGL 20-4-6).~~

11.19.6 - With the exception of gillnets and fyke nets, fishing for winter flounder in the CMLMA will be prohibited from one hour after sunset until one hour before sunrise. Gillnets and fyke nets may not be hauled from one hour after sunset to one hour before sunrise.

~~**11.19.7 - Those possessing a valid CMLMA winter flounder permit are limited to fishing only within the CMLMA while in possession of such permit. In order to withdraw from the permit system, the permit holder must relinquish the permit to Fish and Wildlife office in Wakefield between the hours of 8:30 AM and 4:00 PM Monday through Friday. Repealed**~~

~~**11.19.8 - Net stowage requirements.** -- Permit holders may possess winter flounder with nets on board having a mesh less than the six inch (6") minimum size specified above provided the nets are stowed and not available for immediate use in accordance with the Federal Register Multi-Species Guidelines. Repealed~~

~~**11.19.9 - All quota overages will be deducted from the next year's allocation. Repealed**~~

Proposal 2

11.19 Coastal Marine Life Management Area -- For the purpose of managing winter flounder a Coastal Marine Life Management Area (CMLMA) is established which includes all state waters north of a line from Sakonnet Point Light to Pt. Judith Light, north of the seaward entrance to all coastal salt ponds, including the area north of the seaward entrance to all coastal salt ponds, including the area north of the seaward entrances to the Harbor of Refuge, and the waters of Little Narragansett Bay north of a line from Napatree Point to the western end of Sandy Point, including the waters of the Pawcatuck River.

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